

MAR 06 2007

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March 6, 2007

VIA FACSIMILE - 5 PAGES (Including This Cover)

Commissioner for Patents  
POB 1450, Alexandria, VA 22313-1450  
Transmitted to USPTO Central Fax No. 571-273-8300

Re: AIZAWA et al, Serial No. 10/742,891  
Att'y Docket 500.32820CC7  
Ex. J. Whipkey/AU 2612/USPTO

**SUBMISSION**

Sir:

Applicant hereby transmits the attached "Letter; Terminal Disclaimer and Card Payment Form" (4 pages) regarding the above-identified application.

**CERTIFICATE OF TRANSMISSION:**

I hereby certify that the attached "Letter; Terminal Disclaimer; Credit Card Payment Form" (4 pages) is being **FORMALLY TRANSMITTED** via the USPTO Central Fax No. 571-273-8300 on **6 March 2007**.

  
\_\_\_\_\_  
Joy Aiken

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500.32820CC7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: AIZAWA et al  
Serial No.: 10/742,891  
Filed: December 23, 2003  
For: Imaging And Recording Apparatus  
Art Unit: 2612  
Examiner: J. Whipkey

**LETTER**

Mail Stop: Response (Fee)  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 6, 2007

Sir:

Reference is made to a telephone call from the Examiner, Mr. Whipkey, indicating that this application is subject to an obviousness-type double patenting rejection with respect to US Patent Nos. 5,699,176 and 5,793,517, which are earlier patents in the continuing chain of this continuation application, and that such rejection could be overcome by the submission of a Terminal Disclaimer so as to place this application in condition for allowance.

Without acquiescing in the propriety of the obviousness-type double patenting rejection as set forth in order to expedite issuance of this application, applicants submit herewith a terminal disclaimer and the appropriate fee therefor.

Accordingly, applicants submit that this application should now be condition for allowance.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing

of this paper, including extension of time fees, to the deposit account of Antonelli,  
Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 500.32820CC7),  
and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Melvin Kraus

Registration No. 22,466

MK/jla  
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Attachment